(8/9/2010) MSC Info - Page 1

From: Liz Budry <lizbudry2004@yahoo.com>

To: <MSC-INFO@COURTS.MI.GOV>, <stu@crimapp.com>

Date: 8/6/2010 1:57 PM

Corbin Davis, Clerk Michigan Supreme COurt P.O. Box 30052 Lansing, Mi 48909

ADM 2009 - 19

I am writing about the proposed change to limit the amount of time a prisoner has to bring evidence before the Supreme Court know as 6500 Motions.

For the past 15 years, I have been a personal Pastor to many prisoners that are incarcerated in Michigan prisons. I help their families, I visit them accompanied with my husband when he is not busy with other ministerial duties. Below are true stories of those who I know are innocent, but, because of ineffectual counsel as represented by court appointed lawyers, they are still incarcerated. I will use first names only.

- 1. Larry, has been in prison 35 years. In his trial manuscripts, the real murderer admitted Larry had nothing to do with what he did, but, because prosecutors told him to turn states evidence and himself gain immunity, he did so. The others connected with Larry who were also not guily of murder, but of non premediated assault, are not in prison, but Larry still is. In view of the fact that he came from Detroit. His family are were not able to come up with any money to hire another appeals attorney to prove his innocence. If you make a one year limit, seeing this happened 36 years ago, he many never find his innocence to be proved and he may never have his fair day in court.
- 2. Another inmate, had his mother age 68 cleaned offices, held garage sales until she was able to come up with \$10,000 to hire an appeals attorney. She worked until she came up with the \$10,000 he demanded. He took it through the court process, all the way up to the Supreme Court. He had said to his mother the \$10,000 would cover the Supreme Court appeal. When he got up to the point where he was to step in and see his client free, he demanded another \$10,000 which the family didn't have, consequently, he is still incarcerated. However, for the past 12 years, at his location, he is conducting with the approval of the resident Chaplain, the whole church operations. Obviously, he is not now the drug Coke addict as he was when he committed his crime of over 20 years ago, when he attempted sucicide and committed a murder. However, the circumstances of why he did what he did, were not explained recently, as it was explained to me years ago, and the Governor has turned down his request for a pardon as of this May.
- 3. Another mother, a nurse, came up with the fee of \$7,000 demanded by her appeal attorney. He got his appeal in late, he has had a history of loosing appeals for this reason, and her son lost his bid to possibly be set free.
- 4. Another man drove his friend 25 years ago to a local store to get a package of cigarettes. He stay in the car. His friend went in and robbed and shot the store owner. The driver had no knowledge that he was going to do this. Chuck went to prison, is still there. His appeal with the governor was just turned

(8/9/2010) MSC Info - Page 2

down, The man that did the shooting walked free because he turned states evidence. No lie detector test was given TO BOTH OF THEM AT THE TIME OF THE TRIAL, , and he BECAUSE THE MURDERER HAS NEVER SERVED TIME, AROUND HIS COMMUNNITY, HE HAS bragged that the driver of the truck is in prison for what he did.

5. A teacher, horribly abused by her husband for 14 years, physically, mentally, and psychologically tortured. She murdered him. Two judges RECENTLY have renderered an opinion that she was indeed temporally insane when she did what she did. She has received from them an opinion, that she should never have received the severity of the sentence due to her living with " abuse women syndrome. " She is now waiting to be heard before your court.

Would you deny her, her day in court, because of setting a time limit, seeing the opinions of two other judges have already rendered their decision on her sentence they they think need to be reduced because of the crime against her? I am not justifying her murdering her husband. But, I understand the psychological temporary reasons for chopping him up into pieces. When you are hearing that no matter where you run, he will find you and kill you. If you hear this for 14 years, in your crazed thinking, body parts can't ever come back and beat you again. Would you deny her a fair case to be brought before you, because you limit the time she can find an attorney that will represent her pro-bono because she has no more money? If so, wouldn't that make you equally criminally morally responsible for doing this to a woman who has been beaten for 14 years by a maniac?

6. Last, but not least, there is Thomas. He never spent a day in prison, or committed any crimes. He was in his basement, his own son was taking a nap upstairs in the attic. He have accepted willingly being a father to 3 other children, all of whom were fathered by 3 other men before he had his son with his live in girlfriend. He heard a thud. He ran upstairs and discovered his son climbed out of bed, and had fallen to the bottom of the stairs that led up to where his bed was. There was a pail of toys sitting on the second step down from the top stairs. He picked up the baby, carried him to the couch and ran to the corner store to call EMS. They had no house phone at the time. He had a hard work ethic, never missed a day of work, and while she worked he took care of the children. On this particular day, the other children were at school. They came, EMS picked up the baby that was sitting on the couch and immediately arrested Thomas. The baby was getting better every day he was in the hospital. Thomas told him his story and they refused to believe it. The day after surgery, the baby died. I believe there was a cover up on the part of the hospital that did the surgery. Simply, because he was inproving and almost normal when he was in the hospital, except for the day they did surgery.

The mother of the child confessed to Thomas that the bruises on his body from times past when he would come home from work were from when she played slappy face with him. I got a copy of the transcript. I read on the pages where she as the star witness she lied no less than I8 times while on the witness stand, contradicting herself in giving her testimony about what really happened.

I am not a paralegal. But, I could see the whole case was depended on her lies, anyone else could see it that wanted too. Social Services told her that if she

(8/9/2010) MSC Info - Page 3

didn't help them hang this guy, they were going to take all her kids away from her. Later, after he was sent up, all her kids were taken away from her.

He was not allowed at his trial to have character witnesses available. They were there to testify on his behalf. His ineffective counsel was obvious. He has never had any money to have this investigated. Innocence Project rejected him as a client because there was no DNA evidence. He was convicted before Michigan U of M, started there non DNA clinic. I am encouraging him to have the Innocence Project at U of M look into this. If you pass this motion that limits a prisoner prove their innocence, hundreds of people like I have met personally, will never be given the freedom they deserve.

Can you do this in all conscience??? Have you ever had a son or daughter in prison? If you had, you would never think of passing this motion.

Sin-cerely,

Harold and Elizabeth Budry, Pastors Refuge Clty Church South Lyon, Michigan 48178 1-248-446-8498